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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,371	02/19/2002	Michael Roberts	Roberts 7-9	8134
7590 Lucent Technologies Inc Docket Administrator Room 3C 512 600 Mountain Avenue PO Box 636 Murray Hill, NJ 07974-0636			EXAMINER WILSON, ROBERT W	
			ART UNIT 2616	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

### Office Action Summary

Application No.

10/069.371

Applicant(s)
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ROBERTS ET AL.

**Examiner**

Robert W. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-6 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 & 3-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

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### ***Claim Objections***

1. Claims 3 & 5-6 are objected to because of the following informalities:

Referring to claims 3 and 5, the examiner objects to the usage of the abbreviations MSC and VLR in the claims. The examiner recommends that the applicant spell out the meaning of the abbreviations first in the claim before using the abbreviation in the claim.

Appropriate correction is required.

Referring to claims 6, the examiner objects to the usage of the abbreviation "2G" in the claim. The examiner recommends that the applicant spell out the meaning of the abbreviations first in the claim before using the abbreviation in the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 & 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren (U.S. Patent No.: 6,374,112) further in view of Hsu (U.S. Patent No.: 5,287,491)

Referring to claim 1, Widegren teaches: a packet switched network architecture (Figure 1) comprising:

A location area (wireless connections between UMTS Terrestrial Radio Access Network (UTRAN) and MS (30s) per Fig 1) connected by the radio access network (UTRAN per Fig 1) to a least two core networks (12 or 14 per Fig 1) wherein the radio access network switches (UTRAN per Fig 1) switches packet transmission from each terminal (MS (30s) per Fig 1) in the location area (wireless connections between UMTS Terrestrial Radio Access Network (UTRAN)) to at least one of the at least two core networks (12 & 14 per Fig 1) and per col. 12 lines 12 to 32) wherein the radio access network switches packet transmission from each terminal to one of the at least two core networks in dependence on the capacity of the respective core networks (UTRAN (radio access network) switches packet transmission from the MS (terminal) to at least one of the two core networks (12 or 14 per Fig 1) in dependence on the capacity of the core networks (The reference teaches transmission based upon the capacity associated with two different networks per col. 12 lines 12 to 32)

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Widegren does not expressly call for: two core networks having the same functionality.

Hsu teaches: two different core networks having the same functionality (primary network and backup network or networks having the same functionality per col. 1 lines 32 to 36)

It would have been obvious to add another core network having the same functionality as a backup network of Hsu to one of the two core networks of Widegren in order to provide a backup network which can be used to ensure that network traffic will flow in the event of a failure.

Referring to claim 4, Widegren teaches: A method of allocating resources in a packet switched mobile network (Figure 1 shows an architecture which perform the method of allocating resources in an ISDN and Internet or packet switched mobile network per Figure 1) comprising:

Allocating at least two core networks having the same functionality to a location area (UTRAN provides allocating to two different core networks with wireless connections between UMTS Terrestrial Radio Access Network (UTRAN) MSs (30s) (location area) per Fig 1) associate each mobile user (30 per Fig 1) in a location area (wireless connections between UMTS Terrestrial Radio Access Network (UTRAN)) and switching by the radio access network packet transmission from a mobile user in the location area to one of the core networks in dependence on capacity of the networks (radio access network switches packet transmission switched packets from each MS or mobile user in a location area per col. 4 line 1 to one of the ISDN or Internet which are core networks per Figure 1 depending upon the quality of service which the examiner interprets as a dependent upon the capacity associated with either of the core networks per col. 12 lines 12 to 32)

Widegren does not expressly call for: two core networks having the same functionality.

Hsu teaches: two different core networks having the same functionality (primary network and backup network or networks having the same functionality per col. 1 lines 32 to 36)

It would have been obvious to add another core network having the same functionality as a backup network of Hsu to one of the two core networks of Widegren in order to provide a backup network which can be used to ensure that network traffic will flow in the event of a failure.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren (U.S.

Patent No.: 6,374,112) in view of Hsu (U.S. Patent No.: 5,287,491) further in view of

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Architectural Aspects for the Evolution of Mobile Communications Towards UMTS by Berruto  
which is an IDS document of record.

Referring to claim 3, the combination of Widegren and Hsu teach the packet switched network of claim 1.

The combination of Widegren and Hsu do not expressly call for: core network which includes a MSC comprising a VLR the capacity of the respective core networks being determined by the capacity of the VLR.

Berruto teaches: the RAN will be used to integrate with GSM networks which have VLR and MSC which inherently keep track of resources or capacity of their respective core networks per Pg 1480 Para IV.A. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the MSC with VLR of Berruto to the network architecture of the combination of Widegren & Hsu in order to integrate the UMTS architecture with the RAN.

5. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren (U.S.

Patent No.: 6,374,112) in view of Hsu (U.S. Patent No.: 5,287,491) further in view of

Architectural Aspects for the Evolution of Mobile Communications Towards UMTS by Berruto  
which is an IDS document of record

Referring to claim 5, the combination of Widegren & Hsu teach: the packet switched network of claim 1 and core networks.

The combination of Widegren & Hsu do not expressly call for: each core network which includes a MSC comprising a VLR the capacity of the respective core networks being determined by the capacity of the VLR.

Berruto teaches: the RAN will be used to integrate with GSM networks which have VLR and MSC which inherently keep track of resources or capacity of their respective core networks per Pg 1480 Para IV.A. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the MSC with VLR of Berruto each core network of Widegren & Hsu in order to integrate another UMTS architecture with the RAN.

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6. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vialen (US Patent No.: 6,542,516) in view of Widegren (U.S. Patent No.: 6,374,112) further in view of Boudreaux (U.S. Patent No.: 6,466,556)

Referring to claim 6, Vialen teaches: a packet switched network architecture (Figure 1) comprising:

A location are (Wireless connection to GRAN per Fig 1) to at least two core networks (102 & 101 per fig 1) wherein the radio access network switched packet transmission from each terminal in the location to one of the at least two core networks (GRAN switches packets from 100 or terminal per Fig 1 to 102 and 101 or two core networks per Fig 1 or per col 1 line 45 to col. 2 line 5)

Vialen does not expressly call for: two core networks having 2G functionality or wherein the radio access network switches packet transmission from each terminal to one of the at least two core networks in dependence on the capacity of the respective core networks

Widegren teaches: wherein the radio access network switches packet transmission from each terminal to one of the at least two core networks in dependence on the capacity of the respective core networks per col 12 lines 12 to 32

It would have been obvious to add capabilities of the UTRAN which performs wherein the radio access network switches packet transmission from each terminal to one of the at least two core networks in dependence on the capacity of the respective core networks of Widegren to the GRAN of Vialen because the GRAN is a UMTS.

The combination of Vialen and Widegren do not expressly call for: 2G functionality in the core networks

Bordreux teaches: 2G is a backward capability from 3G which is performed by UTRAN

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the two core networks 2G of Bordreux in place of the two core networks of the combination of Vialen and Widegren because 2G is a backward capability from what can be supported by UTRAN.

***Response to Amendment***

7. Applicant's arguments with respect to claims 1 & 3-6 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571/272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert W Wilson  
Examiner  
Art Unit 2616

RWW  
1/10/07